

BILL NO. G-68-02-1

GENERAL ORDINANCE NO. G- 08-68

AN ORDINANCE approving Resolution for the purchase of ground in connection with the St. Mary's impounding and the Fairfield Ditch Flood Control.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Resolution of the Board of Public Works dated February 8, 1968, as follows:

"WHEREAS, the real estate lying north of Winchester Road and south of Fairfield Ditch described as follows:

Part of Richardville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit: Beginning at the point of intersection of the centerline of the Winchester Road, a public thoroughfare in the aforementioned Richardville Reserve, West of the St. Mary's River, and the Southeasterly line of lot numbered 1 in said Richardville Reserve; thence Northwesterly along the aforementioned centerline of the Winchester Road 1157.0 feet; thence continuing Northwesterly along the centerline of the Winchester Road by a deflection to the right of 4 degrees 11 minutes 384.8 feet to the intersection of said centerline and the East right of way line of Indiana State Road numbered 1 and 3 (Bluffton Road); thence Northerly along said East right of way line 360.0 feet to its intersection with the centerline of the Fairfield Ditch; thence Easterly and Northeasterly along said centerline 761 feet to its intersection with the West bank of the St. Mary's River; thence Southwesterly and Southeasterly also on said West bank of the St. Mary's River 1860 feet to its intersection with the Southeasterly line of lot numbered 1 in Richardville Reserve, West of the St. Mary's River; thence Southwesterly along said line 516.0 feet to the point of beginning, containing 21.96 acres of land, more or less,

must be acquired by the City for flood control purposes in connection with the St. Mary's impounding and the Fairfield Ditch Flood Control, and

WHEREAS, the aforesaid real estate is owned by Am-Cen Investment Corporation, and

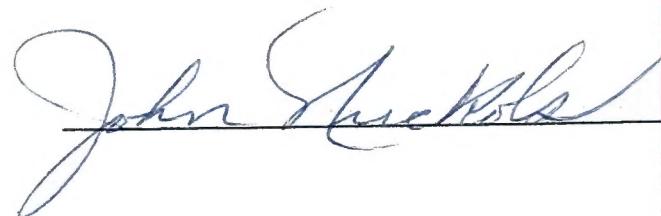
WHEREAS, the Board of Public Works proposes to purchase said real estate in the sum of \$66,000.00, the amount of the appraisal established by the Real Estate Division of the U. S. Army Corps of Engineers,

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Wayne by and through its Board of Public Works hereby agrees to purchase said real estate and agrees to pay \$66,000.00 for said property to the Am-Cen Investment Corporation upon execution of a Warranty Deed to be furnished by them at their expense together with a properly prepared Abstract of Title for said real estate, continued to a date after the date of this Agreement to Purchase, disclosing a marketable title.

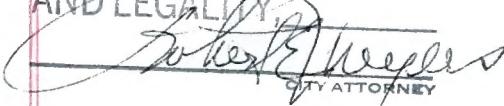
BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Common Council for its approval in their regular meeting to be held February 13, 1968."

it hereby adopted, ratified, approved and confirmed, and all things necessary to accomplish the purpose of said Resolution are hereby ordered.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY


Robert E. Weeges
CITY ATTORNEY

RESOLUTION

WHEREAS, the real estate lying north of Winchester Road and south of Fairfield Ditch described as follows:

Part of Richardville Reserve, West of the St. Mary's River in Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to wit: Beginning at the point of intersection of the centerline of the Winchester Road, a public thoroughfare in the aforementioned Richardville Reserve, West of the St. Mary's River, and the Southeasterly line of lot numbered 1 in said Richardville Reserve; thence Northwesterly along the aforementioned centerline of the Winchester Road 1157.0 feet; thence continuing Northwesterly along the centerline of the Winchester Road by a deflection to the right of 4 degrees 11 minutes 384.8 feet to the intersection of said centerline and the East right of way line of Indiana State Road numbered 1 and 3 (Bluffton Road); thence Northerly along said East right of way line 360.0 feet to its intersection with the centerline of the Fairfield Ditch; thence Easterly and Northeasterly along said centerline 761 feet to its intersection with the West bank of the St. Mary's River; thence Southerly and Southeasterly along said West bank of the St. Mary's River 1860 feet to its intersection with the Southeasterly line of lot numbered 1 in Richardville Reserve, West of the St. Mary's River; thence Southwesterly along said line 516.0 feet to the point of beginning, containing 21.96 acres of land, more or less,

must be acquired by the City for flood control purposes in connection with the St. Mary's impounding and the Fairfield Ditch Flood Control, and

WHEREAS, the aforesaid real estate is owned by Am-Cen Investment Corporation, and

WHEREAS, the Board of Public Works proposes to purchase said real estate in the sum of \$66,000.00, the amount of the appraisal established by the Real Estate Division of the U.S. Army Corps of Engineers,

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Wayne by and through its Board of Public Works hereby agrees to purchase said real estate and agrees to pay \$66,000.00 for said property to the Am-Cen Investment Corporation upon execution of a Warranty Deed to be furnished by them at their expense together with a properly prepared Abstract of Title for said real estate, continued to a date after the date of this Agreement to Purchase, disclosing a marketable title.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Common Council for its approval in their regular meeting to be held February 13, 1968.

51-263-9

February 7, 1968

Mr. J. Robert Arnold
City Attorney
1120 Lincoln Bank Tower
Fort Wayne, Indiana

Dear Mr. Arnold:

Please prepare an ordinance to be introduced for the attached RESOLUTION to buy ground for flood control purposes in connection with the St. Mary's impounding and the Fairfield Ditch Flood Control, in the amount of ---\$66,000.00. Owner is Am-Cen Investment Corp.

Yours truly,

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

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Bill No. G-68-02-21

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving Resolution for the purchase of ground in connection with the
St. Mary's impounding and the Fairfield Ditch Flood Control,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *do* PASS.

JOHN NUCKOLS, Chairman

JOHN H. ROBINSON, Vice-Chairman

CELIA ANN FAY,

EDWIN J. ROUSSEAU

WILLIAM K. GEAKE

John Nuckols
John H. Robinson
Celia J. Fay
Edwin J. Rousseau
William K. Geake

CONCURRED IN

DATE 2-27-68 FUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Mark D. Tipton seconded by Mark D. Tipton and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock P.M., E.S.T.)

Date: 2-13-68

Read the third time in full and on motion by Mark D. Tipton seconded by Mark D. Tipton and duly adopted, placed on its passage.

Passed (100%) by the following vote:

AYES _____, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

Adams _____
Dunifon ✓
Fay _____
Geake _____
Nuckols _____
Robinson _____
Rousseau _____
Steigerwald _____
Tipton ✓

Date 2-27-68

Fred G. Bonahoom
City Clerk

Mark D. Tipton

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2108-68 on the 27th day of Feb., 1968.

ATTEST: (SEAL)

Fred G. Bonahoom
City Clerk

Jack P. H. Dunifon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of Feb., 1968 at the hour of 10:00 o'clock A.M., E.S.T.

Fred G. Bonahoom
City Clerk

Approved and signed by me this 28th day of February, 1968, at the hour of 10:36 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor